

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

UNITED STATES OF AMERICA, )  
                              )  
                              )  
v.                          ) CR. NO. 2:06-cr-64-MHT  
                              )  
                              )  
DEANDRA TWAIN LEWIS,     )  
                              )  
Defendant.                )  
                              )

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**DEFENDANT DEANDRA LEWIS' PROPOSED VOIR DIRE QUESTIONS**

COMES NOW, Defendant Deandra Lewis, by and through undersigned counsel, and submits his proposed voir dire questions for the use in the jury selection process in the criminal trial of the above referenced matter.

This 31<sup>st</sup> day of July 2006.

Respectfully submitted,

AXAM & ADAMS, P.A.

Tony L. Axam/S/  
Tony L. Axam

**DEFENDANT DEANDRA LEWIS' PROPOSED VOIR DIRE**

1. Is there a personal or business reason that would interfere with you being a responsible juror for approximately one week beginning on 7 August 2006?
2. Do you have a philosophy that expresses how you will view and decide a criminal case?
3. Has anyone ever written a letter to a newspaper or magazine editor about a legal or public policy issue?
4. Has anyone called a radio station about a legal or public policy issue?
5. Have you ever filed a police report?
6. Have you ever called the police?
7. When you have an important decision to make, do you make it with your heart or mind?
8. If there were prior accusations against the accused that have never been proven, would you tend to believe him less?
9. If the defendant doesn't testify, would you tend to believe that he is guilty?
10. Does anyone here tend to believe that sworn testimony by itself is sufficient evidence upon which to base a conviction?
11. Does anyone here tend to believe Women more so than

men or vice versa?

12. Do you think police officers are generally trustworthy?
13. Could you judge a person fairly if they had a past criminal record?
14. What are your views concerning illegal drug use?
15. Have you ever served as a witness in a trial?
16. Have you or a member of your family ever had occasion to use the services of any United States Attorney's office?
17. Have anyone ever taken a class or course in criminal law?
18. Has anyone had any training in law?
19. Would you please explain what the presumption of innocence means? Reasonable doubt?
20. If you had to vote now on the guilt or innocence of the defendant, what would your verdict be and why?
21. Can you all agree that regardless of your personal opinions about what the law is or ought to be, you will follow the law as the judge gives it to you?
22. And, based on the law as the Judge gives it, if the Government fails to prove all of the elements of the case to you beyond a reasonable doubt, will you acquit?

23. Is there anyone who doesn't understand why someone who was innocent would not speak of his innocence at trial?
24. Is there anyone who does not understand that in a criminal case the prosecution must prove its case to all jurors and that it must prove that the accused is guilty beyond a reasonable doubt and to a certainty?
25. Do you understand the difference between the burden of proof in these two types of jury trials?
26. Do you realize that the prosecution carries the complete burden of proof?
27. Do you realize that the defense carries no burden of proof whatsoever?
28. Would you hold it against the defendant if he did not testify?
29. Do you realize that the defense has no duty to put on any evidence whatsoever because the entire burden rests with the prosecution?
30. If the prosecution does not meet its burden, do you agree that as a trial juror you have a duty to find the accused not guilty?
31. If the prosecution fails to prove its case beyond a reasonable doubt to a certainty, would you hesitate to acquit the defendant?

32. If the prosecution does not meet its burden what would your verdict be?
33. Do you realize that the court will instruct you that a person who is accused is presumed innocent until such time, if at all, as the prosecution overcomes this presumption of innocence and proves him or her guilty beyond a reasonable doubt?
34. If the proof of guilt is not forthcoming then the presumption of innocence is not overcome. Do you feel that you can follow the law as it relates to the presumption of innocence?
35. Is this a concept that may be difficult for you to follow during your deliberations? If so, please explain.
36. If you disagree with a particular theory of law, is there anyone who has an inability to follow applicable legal principles that affect the case, such as the presumption of evidence or the people's burden of proof?
37. Do you really believe that accused people are innocent until proven guilty?
38. What are your general feelings about the effectiveness or ineffectiveness of the criminal justice system?
39. Is there anyone here who has a predisposition to

prejudge credibility of law enforcement officers, the defendant, or other witnesses?

40. Is there anyone here who has an unfavorable predisposition toward the defendant's race, general lifestyle, or occupation?
41. Is there anyone here who has a prejudice against the use of alcohol, drugs, or controlled substances.
42. Has anyone here had either an especially good experience or bad experience involving law enforcement?
43. Has anybody here ever applied for a job in law enforcement?
44. Do you have any family members that work in the area of law enforcement?
45. Do you believe that police officers are more credible than other witnesses?
46. Once a person is arrested, do you tend to believe that they are guilty?
47. Do you tend to believe that law enforcement officers usually get the right guy?
48. This case involves a charge of Possession of Cocaine with intent to distribute. Does this charge touch on any circumstances in your life that would interfere with your ability to sit, listen, and decide this case

fairly to both sides?

49. Do you watch Court TV or any law related sitcoms or television shows?
50. Do you read legal newspapers or publications?
51. Have you read anything in the newspaper about this case?
52. Have you seen anything in the news about this case? Television coverage, newspaper articles or editorials, references in speeches by public figures, even advertising or billboards by the media or by public interest groups

**CERTIFICATE OF SERVICE**

This is to certify that I have on this 31<sup>st</sup> day of July 2006 served the Government in the above styled case with a copy of the foregoing Defendant Deandra Lewis' Proposed Voir Dire Questions via ECF/pacer and by depositing a copy of the same in the United States Mail with sufficient postage affixed thereto and properly addressed to ensure delivery to the following:

A. Clark Morris  
Assistant United States Attorney  
P. O. Drawer 197  
Montgomery, Alabama 36101-0197

Tony L. Axam/S/  
Tony L. Axam